

Wetlands Bureau Decision Report

Decisions Taken
11/09/2009 to 11/15/2009

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2006-00878

NASHUA, CITY OF

NASHUA Prime Wetlands, Salmon Brook & Merrimack River

Requested Action:

Construct a Wet Weather Flow Treatment Facility ("WWFTF") adjacent to prime wetlands located at the City of Nashua's Wastewater Treatment Facility ("NWTF").

Amend permit to provide for the installation of an underground electric conduit, a transformer pad and new power pole within the same prime wetland buffer location as previously approved for the "WWFTF".

APPROVE AMENDMENT:

Construct a Wet Weather Flow Treatment Facility ("WWFTF") adjacent to prime wetlands located at the City of Nashua's Wastewater Treatment Facility ("NWTF").

Amend permit to provide for the installation of an underground electric conduit, a transformer pad and new power pole within the same prime wetland buffer location as previously approved for the "WWFTF".

With Conditions:

1. All work shall be in accordance with plans by the City of Nashua dated April 2006, as received by the Department on July 26, 2006.
 - 1A. Amendment for the installation of an electric conduit and associated structures shall be in accordance with plans by Stearns & Wheeler, LLC dated 09/09 as received by the Department on October 22, 2009.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Silt fencing must be removed once the area is stabilized.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project is located at an existing wastewater treatment facility.
6. The New Hampshire Fish and Game Department did not comment on the proposed project.
7. The Conservation Commission did not comment on the proposed project.

8. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
9. No work will be conducted within wetlands or surface waters or bank.
10. This permit is contingent on approval by the DES Site Specific Program.
11. All work will be outside of the Shoreland Protection Act 150 foot woodland buffer.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
13. A public hearing was held at the Department on July 26, 2006. No one in opposition to this project attended the public hearing.
- 13A. A public hearing was not held for this amendment since the buffer impact for this project is the same location which was the subject of the July 26, 2006 prime wetlands public hearing.
14. Based on findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 20 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2007-00860 BREWER, EUGENE & DEBORAH
ALTON Lake Winnepesaukee

Requested Action:

Applicant requests crib supported docking structures in place of pile supported docking structures.

Inspection Date: 07/06/2007 by Chris T Brison

DENY AMENDMENT:

Deny Applicant's request to construct crib supported docking structures in place of pile supported docking structures.

With Findings:

Standards for Approval

1. In accordance with Env-Wt 402.06, (e), "All applications for permanent installations shall indicate that reasonable investigations have been undertaken to determine the impossibility of driving pilings before alternate construction methods shall be approved."
2. In accordance with Env-Wt 402.06(f), investigations to determine the impossibility of driving piles "may include trial driving by commercial equipment, probings, and experience in construction of adjacent wharves or docks."
3. In accordance with Env-Wt 402.06(k), "The side dimensions of cribs may be increased one foot for every additional foot of water depth above 6 feet."
4. In accordance with Env-Wt 302.04, (a), (1), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impact by plan and example.
5. In accordance with Env-Wt 302.04, (a), (2) Requirements for Application Evaluation, For any major or minor project, the applicant shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.

Findings of Fact

1. On August 29, 2007, the Department issued a permit to "Reconfigure existing breakwater docking system to a 50 linear ft breakwater with a 6 ft gap at the shoreline attached to a "W-shaped" docking system consisting of a 4.5 ft x 39 ft cantilevered dock, a 4.5 x 32 ft piling supported dock and a 4.5 x 27 ft piling supported dock accessed by a 6 ft x 45 ft walkway, and restore 10 ft x 50 ft of access road with native vegetation on 165 ft of frontage in Alton on Lake Winnepesaukee."
2. On September 04, 2009, the Wetlands Bureau received a request from the Applicant to amend the approved permit to "request crib supported docking structures in place of pile supported docking structures."
3. The information received on September 04, 2009, included cross sectional plans of a crib dock. These plans show cribs that would exceed the approvable criteria set forth in Env-Wt 402.06 for crib dimensions.

4. The amendment request received on September 04, 2009, did not include the information as specified in Env-Wt 402.06 (e) and (f) documenting the impossibility to drive piles and the need to construct cribs to support the docking structure.

Rulings in Support of Denial

1. The Applicant did not submit supporting information required pursuant to Env-Wt 402.06 and, therefore, the amendment request is denied.
2. The Applicant has failed to demonstrate by plan and example that the proposal to construct a crib supported docking structure is the least impacting alternative as required pursuant to Env-Wt 302.04 and, therefore, the amendment request is denied.
3. The plans submitted in support of the amendment request exceed the criteria set forth in Env-Wt 402.06, (k), therefore the amendment request is denied.

-Send to Governor and Executive Council-

2007-02527 NH DEPT OF TRANSPORTATION HAMPTON Atlantic Ocean

Requested Action:

Replace an existing storm water outfall and add an underground storm water and infiltration system of twin 36 in. x 165 ft. perforated pipes under 6 ft. of sand temporarily impacting 17,027 sq. ft. marine intertidal shore.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

Inspection Date: 02/29/2008 by Gino E Infascelli

APPROVE PERMIT:

Replace an existing storm water outfall and add an underground storm water and infiltration system of twin 36 in. x 165 ft. perforated pipes under 6 ft. of sand temporarily impacting 17,027 sq. ft. marine intertidal shore. NHDOT project #14532W.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 8/10/07 as received by the Department on October 19, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless used in restoration of the temporary impact areas.
3. This permit is contingent upon the submission of a project specific water diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of water flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
7. The impacts associated with the temporary work shall be restored immediately following construction.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in tidal wetlands
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Prior to the filing of this application, this project was discussed on July 18, 2007 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT). There were no concerns regarding endangered or threatened plants and wildlife as the noted species are in the vicinity and not in this specific project area.
6. The Department of Environmental Services (DES) Staff conducted a field inspection of the project area on February 29, 2008. Field inspection determined that project will have temporary impacts and result in improved water quality.
7. DES Staff finds that this project will not have a significant impact on these marine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

-Send to Governor and Executive Council-

2008-01863 HOOKSETT, TOWN OF
HOOKSETT Messer Brook

Requested Action:

Waiver request of Env-Wt 704.01 (20-day hold on prime wetlands related permits).

APPROVE AMENDMENT:

Dredge and fill approximately 2400 sq. ft. of streambed, bank and prime wetland buffer to repair and replace failed granite block walls along Messer Brook and Martin's Ferry Road. The existing and proposed work is part of a follow-up project to the emergency authorization issued by DES on September 11, 2008. Work consists of reconstruction of a portion of the new modular block wall, adding approximately 25 linear feet of wall to the north side of the stream, construction of approximately 45 linear feet of new modular wall behind the existing granite wall on the south side of the stream, reconstruction of a wider stream channel with rip-rap covered with a minimum of 12 inches of natural streambed materials, rip-slope protection and removal of existing rip-rap in the prime wetland buffer and loaming, seeding and planting with trees and shrubs.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services dated revision date October 2009, as received by DES on October 16, 2009.
2. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Buffer plantings shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
5. The completed stream bed surface shall be constructed with a minimum depth of 12 inches of natural streambed materials.
6. A post-construction report documenting the status of the project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season.
7. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

DES reaffirms findings 1 through 20 with additional findings.

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The proposed work is in response/follow-up to an emergency authorization issued by DES on September 11, 2008, to repair collapsed granite retaining walls.

6. The work is needed to protect the adjacent infrastructure and provide a stable stream channel.

7. The submitted plans locate the boundary of the wetlands and prime wetlands.

8. The existing and proposed work is within the same general location of the previous retaining walls.

9. The south side wall will be built behind the existing granite wall and create a wider stream channel, which should provide additional hydrological capacity.

10. A majority of the rip-rap on the south side of the stream will be removed and planted with trees and shrubs.

11. This approval is conditioned on successful buffer plantings and construction of the stream channel surface with natural streambed materials.

12. There is no work proposed within the prime wetland.

13. The proposed work is within the 100 prime wetland buffer, however, the area between the impacts and the prime wetland contains an existing building and concrete walkway.

14. The applicant is providing buffer plantings and a wider stream channel for mitigation of the prime wetland buffer impacts that are beyond the previous granite retaining walls.

15. The impact area is in a previously disturbed prime wetland buffer.

16. The Hooksett Conservation Commission provided a letter of support for the proposed project.

17. The department has not received any comments in objection to the proposed project.

18. Effective September 11, 2009, RSA 482-A:11 IV.(a) was amended to require a public hearing only if deemed necessary by the department per RSA 482-A:8.

19. The department has determined that a hearing is not necessary based on findings #1 through #17.

20. Based on findings #1 through #17 above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Additional findings:

21. The applicant requested a waiver to Env-Wt 704.01.
22. The municipal conservation commission, town council and planning board support the waiver request.
23. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 704.01.
24. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made.

2009-02334 GOFFSTOWN DPW, TOWN OF
GOFFSTOWN Piscataquog River / Glenn Lake

Requested Action:

Proposal to dredge and fill approximately 1,701 sq. ft. (170 linear ft.) perennial stream bed and bank and bank of Glen Lake for installation of new box culvert, drainage structures and reconstruction of a stream channel to reduce local flooding and improve stormwater treatment. Work in wetlands/bed and banks includes installation of an embedded 5 ft. wide x 4 ft. high x 55 ft. box culvert, reconstruction of an existing stream channel which will include natural rounded stone and plantings and approximately 20 linear ft. of retaining wall. In addition, work includes reconstruction of a stormwater outfall on the bank of Glen Lake. The project is being funded by the American Recovery and Reinvestment Act of 2009 ("ARRA").

APPROVE PERMIT:

Dredge and fill approximately 1,701 sq. ft. (170 linear ft.) perennial stream bed and bank and bank of Glen Lake for installation of new box culvert, drainage structures and reconstruction of a stream channel to reduce local flooding and improve stormwater treatment. Work in wetlands/bed and banks includes installation of an embedded 5 ft. wide x 4 ft. high x 55 ft. box culvert, reconstruction of an existing stream channel which will include natural rounded stone and plantings and approximately 20 linear ft. of retaining wall. In addition, work includes reconstruction of a stormwater outfall on the bank of Glen Lake. The project is being funded by the American Recovery and Reinvestment Act of 2009 ("ARRA").

With Conditions:

1. All work shall be in accordance with plans and narratives by McFarland Johnson, plan sheet 6, dated June 3, 2009, plan sheet 8, revision date September 14, 2009 and figure 10 dated September 2009, as received by DES on October 2, 2009 and plan sheet 13, dated August 13, 2009, as received by DES on November 9, 2009.
2. The Town shall obtain construction easements or written permission from affected landowners outside of the existing road right-of-way and shall supply copies of the easements/permission to DES Wetlands File No. 2009-2334 prior to construction.
3. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. The applicant's Engineer and New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the work is constructed in accordance with the approved plans and narratives and to assure no turbidity leaves the work area.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
8. Unconfined work within the stream and banks, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
9. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.

10. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. All in-stream and bank work shall be conducted in a manner that minimizes the duration of construction in the watercourse.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
14. All equipment shall work from adjacent banks or uplands and shall not enter flowing water.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. The box culvert embedding materials and stream channel materials shall be surfaced with natural rounded stone and/or similar stream materials and shall not include angular rip-rap.
18. All proposed plantings shall have at least 75% successful establishment after one full growing season, or it shall be replanted and re-established (where needed) until replicated in a manner satisfactory to the DES Wetlands Bureau.
19. Post-construction monitoring reports documenting the status of the project with photographs shall be prepared and submitted by the agent to the Wetlands Bureau within 60 days of the completion of construction and after one full growing season.
20. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
23. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
25. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
26. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
27. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
28. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The project is needed to improve existing drainage infrastructure and alleviate localized flooding.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The project will help improve historic man-made impacts and storm event impacts within the drainage area.
7. The applicant has provided agreements from affected landowners where portions of the work will be conducted.
8. The New Hampshire Fish and Game Department has reviewed and approved the proposed design.
9. DES has received comments in support of the project from the Goffstown Conservation Commission.
10. DES has not received any comments in opposition to the project.
11. The DES Alteration of Terrain Program has reviewed and approved of the project design.
12. The main function of the existing stream channel is to convey storm flows and natural stream flow.

13. The existing stream channel appears to be a historically impacted.
14. The proposed stream project utilizes a combination of stabilization methods including rounded stone, plantings and a section of retaining wall.
15. The proposed project includes an embedded box culvert.
16. The proposed project will improve stream flows, stormwater capacity and reduce flooding.
17. The proposed project complies with the purpose of the mitigation rules, Env-Wt 801.01 as the functions and values impacted will be replaced through project completion.
18. The project is being funded through DES by the American Recovery and Reinvestment Act of 2009 ("ARRA"), CRF Project #CS-333113-08.
19. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine and lacustrine resource, as identified under RSA 482-A:1.

2009-02634 LACONIA, CITY OF
LACONIA Lake Winnepesaukee

Requested Action:

Impact 30,588 sq ft of bank along 475 linear ft of shoreline to backfill scoured areas, place rip-rap at the base of the bank, stabilize upper slopes of the bank with bio-stabilization techniques, repair/replace pre-existing culvert, boardwalk, stairs, and access to municipal docking facility, and dredge eroded sediment from Lake Winnepesaukee adjacent to the railroad line and boardwalk at Weir Beach.

APPROVE PERMIT:

Impact 30,588 sq ft of bank along 475 linear ft of shoreline to backfill scoured areas, place rip-rap at the base of the bank, stabilize upper slopes of the bank with bio-stabilization techniques, repair/replace pre-existing culvert, boardwalk, stairs, and access to municipal docking facility, and dredge eroded sediment from Lake Winnepesaukee adjacent to the railroad line and boardwalk at Weirs Beach.

With Conditions:

1. All work shall be in accordance with plans by DuBois & King, Inc. as revised November 10, 2009, and received by DES on November 10, 2009.
2. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
3. All dredged and excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 1 ft lakeward of that line at any point.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Silt fencing must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate impact area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Work shall be done during low flow.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

13. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. The bio-stabilization areas shall have at least 75% successful establishment of the woody stemmed plantings after two (2) growing seasons, or it shall be replanted and re-established until a functional buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.
19. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
20. A post-construction report documenting the status of the restored bank and shoreline shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
21. The permittee shall attempt to control invasive, weedy species by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
22. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of site work.
23. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of more than 20,000 sq ft of jurisdictional area.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resource, as identified under RSA 482-A:1.
6. The proposed bank stabilization project will not impact any exemplary natural community or threatened or endangered species, and is necessary to protect the existing road and rail lines. Therefore, in accordance with Rule Env-Wt 302.03(c), (2), (c), Avoidance, Minimization, and Mitigation, no compensatory mitigation shall be required.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2007-02559 NH DEPT OF TRANSPORTATION
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Amend permit to correct crib dimensions and allow upgrades to 33 linear ft of retaining wall.

APPROVE AMENDMENT:

Amend permit to read: Repair an 8 ft 5 in x 36 ft concrete surfaced crib pier, in-kind, dredge 8 cu yd from 206 sq ft of lakebed immediately adjacent to said dock, repair 72 linear ft of dry stone retaining wall, replace 6 fender piling along said wall, repair and upgrade 33 linear ft of dry stone retaining wall, reset 3 rocks adjacent to the boat ramp, replace a 3 piling ice cluster, relocate 7 boulders posing hazard to navigation, and restore 24 linear ft of shoreline with a combination of boulders and native plantings to maintain the mixed use public access facility at Harilla Landing on an average of 291 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work related to the repair and replacement of structures and the dredge of the 8 cu yd shall be in accordance with plans by Watermark Navigation revised November 3, 2009, as received by DES on November 4, 2009 and cross sections by Watermark Navigation dated November 6, 2009, as received by DES on November 11, 2009.
2. All work related to the relocation of 7 rocks, including the specified deposition site, shall be in accordance with plans by Watermark Navigation dated February 4, 2008, as received by DES on May 2, 2008.
3. All work related to the restoration of the shoreline shall be in accordance with plans by Watermark Navigation dated February 4, 2008 and April 29, 2008, as received by DES on May 2, 2008.
4. All work related to the restoration of the shoreline shall be completed prior to the initiation of any of the other work authorized by this approval.
5. The restored shoreline shall be monitored and a written report documenting its condition shall be submitted to the Wetlands Bureau by July 15 of the year following construction. The construction report shall include photographic documentation. The Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the shoreline is not adequately stabilized and restored.
6. The shoreline restoration area shall have at least 75% successful establishment of appropriate vegetation after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
7. Restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the shoreline during this same period.
8. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permitted. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
9. Repairs shall maintain the existing size, location, and configuration of structures.
10. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Appropriate salutation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
12. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
13. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau with the exception that the rocks to be relocated shall be deposited in the lake in the location identified on the approved plan.
15. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of less than 8 cu yd of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The abutting property owners have certified that they are aware of the deposition site proposed for the boulders to be relocated, do not object to the proposed deposition site, and will not apply for the removal of the boulders for any purpose in the future.

2009-01633 NH DEPT OF TRANSPORTATION
EATON Unnamed Stream

Requested Action:

Replace a 42 in. x 45 ft. culvert with a 42 in. x 50 ft. culvert impacting 300 sq. ft. (200 sq. ft. temporary) of stream and banks.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace a 42 in. x 45 ft. culvert with a 42 in. x 50 ft. culvert impacting 300 sq. ft. (200 sq. ft. temporary) of stream and banks.

NHDOT project #M303-5.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 3 dated 6/25/09 as received by the Department on July 24, 2009.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of channel and bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. On Nov. 6, 2009 the applicant provided more information including that the name of the waterbody is Snow Brook and the location is approximately 200 ft. northerly of that shown on the original submittal.

2009-01847 CHESTERFIELD, TOWN OF
CHESTERFIELD Unnamed Pond

Requested Action:

Dredge and fill \pm 800 sq. ft. of an existing fire pond/unnamed perennial stream to replace the outlet structure and reroute outlet stream flows. Work includes rerouting outlet flows from the existing 8-ft. x 10-ft. weir structure, 4-ft. x 35-ft. CMP culvert and existing stream channel to a 17-ft. x 10-ft. overflow weir box, twin 4-ft. x 55-ft. CPP culverts and a created riprap lined channel.

APPROVE PERMIT:

Dredge and fill \pm 800 sq. ft. of an existing fire pond/unnamed perennial stream to replace the outlet structure and reroute outlet stream flows. Work includes rerouting outlet flows from the existing 8-ft. x 10-ft. weir structure, 4-ft. x 35-ft. CMP culvert and existing stream channel to a 17-ft. x 10-ft. overflow weir box, twin 4-ft. x 55-ft. CPP culverts and a created riprap lined channel.

With Conditions:

1. All work shall be in accordance with plans by the Town of Chesterfield as received by the Department on October 02, 2009.
2. The applicant shall notify DES in writing of their intention to commence construction no less than 5 business days prior to construction. The estimated length of construction time shall be provided in this notification.
3. The applicant shall notify DES in writing of the completion of construction no less than 10 business days after completion.
4. If required, this permit is contingent on DES Dam Bureau approval.
5. In the event water diversion structures are required at the time of construction, a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. There shall be no excavation or operation of construction equipment in flowing water.
11. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. The application shall provide post-construction photographs of all approved construction referenced in this permit within 30 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that alter the course of or disturb less than 200

linear feet of a perennial nontidal stream or river channel or its banks.

2. The Chesterfield Road Agent/Fire Chief confirmed pond provides fire protection for a nearby school.
3. DES Staff conducted a field inspection of the proposed project on October 16, 2009. Field inspection determined drainage analysis submittal is appropriate.
4. A drainage analysis for the proposed project confirmed that the flows and velocities will be less with the revised outlet structure and culverts.
5. The Town of Chesterfield has obtained written permission for work on abutting properties.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2009-01904 LONDONDERRY, TOWN OF
LONDONDERRY Beaver Brook

Requested Action:

Dredge and fill a total of 2,475 sq. ft., of which 600 sq. ft. are permanent impacts, in the flow channel, embankments, and palustrine scrub-shrub wetlands, of a tributary to Beaver Brook, to replace an existing 36 in. CMP roadway culvert with twin 48 in. RCP culverts at the same location.

Conservation Commission/Staff Comments:

No comments were received from the Londonderry Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 2,475 sq. ft., of which 600 sq. ft. are permanent impacts, in the flow channel, embankments, and palustrine scrub-shrub wetlands, of a tributary to Beaver Brook, to replace an existing 36 in. CMP roadway culvert with twin 48 in. RCP culverts at the same location.

With Conditions:

1. All work shall be in accordance with plans by Vollmer Associates, LLP dated April 2001, [previously approved as permit #2001-01042] as received by the Department on August 17, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Proper headwalls shall be installed.
10. Culvert outlets shall be properly rip rapped.
11. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1).

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provide evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2009-01807 SQUAM BYRNE LLC
MOULTONBOROUGH Unnamed Wetland

Requested Action:

Remove an existing culvert out letting on an approximately 1050 sq ft beach and replenish the beach with less than 2 cubic yards of sand on Squam Lake, Moultonborough.

Conservation Commission/Staff Comments:

No comments by November 10, 2009

APPROVE PERMIT:

Remove an existing culvert out letting on an approximately 1050 sq ft beach and replenish the beach with less than 2 cubic yards of sand on Squam Lake, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 09, 2009, as received by DES on August 10, 2009.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. No more than 2 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), replenishment of a beach.

2009-01933 AMHERST, TOWN OF
AMHERST Unnamed Wetland

Requested Action:

Dredge and fill 200 sq. ft. of jurisdictional wetlands to replace an existing failed 12 in. CMP with a 15 in. HDPE culvert and install a catch basin.

Conservation Commission/Staff Comments:

No comments were received from the Amherst Conservation Commission on this application.

APPROVE AFTER THE FACT:

Dredge and fill 200 sq. ft. of jurisdictional wetlands to replace an existing failed 12 in. CMP with a 15 in. HDPE culvert and install a catch basin.

With Conditions:

1. All work shall be in accordance with plans by Town of Amherst dated 8/14/09, as received by DES on August 20, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2009-01947 MOSHER, EDNA
NEWINGTON Unnamed Stream

Conservation Commission/Staff Comments:

Applicant has asked to hold notification, she is not sure if she wants to go with this Logger

COMPLETE NOTIFICATION:

Newington Tax Map 12, Lot# 10

2009-02612 HAZELTON, DAVID, PAUL & JOHN
HEBRON Unnamed Stream

COMPLETE NOTIFICATION:

Hebron Tax Map/Lot# 16/1, 16/1-1 & 17/4

2009-02613 RICE, HAROLD "CHIP"
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:

Henniker Tax Map 1, Lot # 72

2009-02614 KOWALSKI, PAUL
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:

Gilmanton Tax Map 406, Lot# 35

EXPEDITED MINIMUM

2009-01902 TROOBOFF, STEVEN
FRANCONIA Unnamed Pond

Requested Action:

Impact 15,000 square feet of a man made pond for a maintenance dredge; the installation of a dry hydrant and the repair of an existing outlet structure.

APPROVE PERMIT:

Impact 15,000 square feet of a man made pond for a maintenance dredge; the installation of a dry hydrant and the repair of an existing outlet structure.

With Conditions:

1. All work shall be done in accordance with plans by James E. Kennedy entitled Toad Hill Pond: Site Plan; Site Construction Details (Sheets D1 and D2) as received by DES on October 20, 2009.
2. Work shall be conducted during (seasonal) low flow conditions, and during drawdown where practicable.
3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Machinery shall not be located within surface waters, where practicable.
6. Machinery shall be staged and refueled in upland areas
7. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Stockpiled dredged material shall be dewatered in upland areas to sedimentation basins lined with erosion and siltation controls to prevent water quality degradation. Dewatering areas must be located at least 20 feet away from jurisdictional areas.
9. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
10. Proper headwalls shall be constructed within seven calendar days of culvert installation.
11. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1;
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways; (w) Excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, for installation of a dry hydrant; (x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet; (m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
4. No comments were submitted from the NH Natural Heritage Bureau or the NH Fish and Game Department.

2009-02035

GEORGE, GREGORY

NORTHWOOD Northwood Lake

Requested Action:

Repair 19 linear ft of retaining wall, repair 16 ft 5 inches of retaining wall, repair 6 ft 6 in x 21 ft concrete pier in-kind on an average of 60 ft of frontage on Northwood Lake, Northwood.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair 19 linear ft of retaining wall, repair 16 ft 5 inches of retaining wall, repair 6 ft 6 in x 21 ft concrete pier in-kind on an average of 60 ft of frontage on Northwood Lake, Northwood.

With Conditions:

1. All work shall be in accordance with plans, as received by DES on September 04, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. Work shall be done during drawdown.
5. The repairs shall maintain the size, location and configuration of the pre-existing structures.
6. Walls shall not be refaced in excess of 6 inches.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02437 WINDHAM, TOWN OF
WINDHAM Unnamed Wetland

Requested Action:

Dredge and fill 311 square feet of isolated palustrine forested wetland to install a 15-inch x 54-foot RCP culvert to widen and upgrade London Bridge Road from a class VI road to a class V road.

Conservation Commission/Staff Comments:

The Windham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 311 square feet of isolated palustrine forested wetland to install a 15-inch x 54-foot RCP culvert to widen and upgrade London Bridge Road from a class VI road to a class V road.

With Conditions:

1. All work shall be in accordance with The Wetland Impact Plan (Sheet 1 of 1) by Edward N. Herbert Associates, Inc. dated September 1, 2009, as received by DES on October 16, 2009.
2. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
2. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
3. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
4. No fill shall be done for lot development.
5. No fill shall take place in Atlantic white cedar swamps.
6. Work shall be done during seasonal low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The culvert outlet shall be properly rip rapped.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2009-02515 CLEMENT DAM HYDRO LLC
TILTON Winnepesaukee River

Requested Action:

Repair and replace approximately 200 sq. ft. (25 lineal ft.) of stone that has eroded on the bank of the Winnepesaukee River along the down stream side of the dam, penstock and valve concrete foundation. Work is repair "in-kind" and will be constructed during

non-flow/drawdown.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene on the project.

APPROVE PERMIT:

Repair and replace approximately 200 sq. ft. (25 lineal ft.) of stone that has eroded on the bank of the Winnepesaukee River along the down stream side of the dam, penstock and valve concrete foundation. Work is repair "in-kind" and will be constructed during non-flow/drawdown.

With Conditions:

1. All work shall be in accordance with repair area depicted on the Shoreline Stabilization Plan and narratives received by DES on October 23, 2009 and narratives received November 13, 2009.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. Work shall be done during drawdown and low flow.
4. Work shall be conducted from the bank, top of bank or uplands and no equipment shall enter the water.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Construction equipment shall be inspected Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore, stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. All work will be conducted in the dry on the existing rock slope.

TRAILS NOTIFICATION

2009-02678 PUTNAM, ROY
MOULTONBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Moultonboro Tax Map 36, Lot# 9 Trail # 204

LAKES-SEASONAL DOCK NOTIF

2009-02681 CHAGNON, NEIL
RAYMOND Govenors Lake

COMPLETE NOTIFICATION:

Raymond Tax Map 33, Lot# 83 Govenors Lake

ROADWAY MAINTENANCE NOTIF

2009-02653 AMHERST DPW, TOWN OF
AMHERST Unnamed Stream

PERMIT BY NOTIFICATION

2009-01722 NEWPORT, TOWN OF
NEWPORT Sugar River

Requested Action:

Temporarily impact approximately 150 sq. ft. of the Sugar River to repair sewage pipe bridge abutment.

PBN IS COMPLETE:

Temporarily impact approximately 150 sq. ft. of the Sugar River to repair sewage pipe bridge abutment.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(7), the maintenance, repair, or replacement of a nondocking structure that meets the criteria in

Env-Wt 303.04(x).

3. Water diversion plans stamped by a Professional Engineer were received on October 19, 2009.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau

2009-02447 TWIGG III, GEORGE
GILMANTON Loon Pond

Requested Action:

Dredge and fill approximately 154 sq. ft. of Loon Pond for installation of a dry hydrant.

PBN IS COMPLETE:

Dredge and fill approximately 154 sq. ft. of Loon Pond for installation of a dry hydrant.

With Findings:

1. The Conservation Commission did not sign the PBN, and therefore did not waive their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(6), the excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w).
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2009-02519 MILTON CAT, TRACY BARTLETT
HOPKINTON Unnamed Stream

Requested Action:

Dredge approximately 80 square feet of wetlands (drainage swale) at the outlet of a 12-inch stormwater outfall pipe. Impacts shall be temporary and re-seeded with a native seed mix.

PBN IS COMPLETE:

PBN complete to dredge approximately 80 square feet of wetlands (drainage swale) at the outlet of a 12-inch stormwater outfall pipe. Impacts shall be temporary and re-seeded with a native seed mix.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.

2009-02521 NEW ENGLAND ELECTRIC TRANSMISSION CORP, DBA NATION
LITTLETON Unnamed Wetland

Requested Action:

Temporarily impact 19,190 square feet of wetlands for access to a utility line for maintenance.

PBN IS COMPLETE:

Temporarily impact 19,190 square feet of wetlands for access to a utility line for maintenance.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. NH Fish and Game Nongame and Endangered Species Program commented that as long as the project occurs outside of the osprey breeding season, which is April through August, we do not expect impacts to osprey if an undocumented nest is encountered. If an eagle nest is found in the vicinity of the work area, contact NH Fish and Game immediately, so that impacts to this species can be avoided. NH Fish & Game concurs with USFWS recommendations regarding any potential impacts to dwarf wedgemussel.
3. USFWS commented that the project is a sufficient distance from the Connecticut River and will have erosion control measures in place that they anticipate no adverse effects to dwarf wedgemussels.
4. The Natural Heritage Bureau commented that they do not expect impacts to any of the plant species or communities listed in the initial review memo. Since all work will be within the existing powerline corridor, and no heavy machinery will be used, ground disturbance should be minimal. If all work is completed when the ground is frozen potential impacts will be further minimized.
5. No comments were submitted from the Conservation Commission or the Connecticut River Joint Commission.

**2009-02547 NEW ENGLAND ELECTRIC TRANSMISSION CORP, DBA NATION
LYMAN Unnamed Wetland**

Requested Action:

Temporarily impact 7,340 square feet of wetlands for access to a utility line for maintenance.

PBN IS COMPLETE:

Temporarily impact 7,340 square feet of wetlands for access to a utility line for maintenance.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. NH Fish and Game Nongame and Endangered Species Program commented that as long as the project occurs outside of the osprey breeding season, which is April through August, we do not expect impacts to osprey if an undocumented nest is encountered. If an eagle nest is found in the vicinity of the work area, contact NH Fish and Game immediately, so that impacts to this species can be avoided. NH Fish & Game concurs with USFWS recommendations regarding any potential impacts to dwarf wedgemussel.
3. USFWS commented that the project is a sufficient distance from the Connecticut River and will have erosion control measures in place that they anticipate no adverse effects to dwarf wedgemussels.
4. The Natural Heritage Bureau commented that they do not expect impacts to any of the plant species or communities listed in the initial review memo. Since all work will be within the existing powerline corridor, and no heavy machinery will be used, ground disturbance should be minimal. If all work is completed when the ground is frozen potential impacts will be further minimized.
5. No comments were submitted from the Conservation Commission.

**2009-02636 BANK BOSTON OF AMERICA, HENRY LINCOLN TTEE
ALTON Lake Winnepesaukee**

Requested Action:

Repair existing docking facility "in kind" and repair of existing retaining wall "in kind".

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing docking facility "in kind" and repair of existing retaining wall "in kind".

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02645 LEROUX, ADELAIDE
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair existing docking structure and repair existing retaining wall.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing docking structure and repair existing retaining wall.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2009-02646 NEW ENGLAND ELECTRIC TRANSMISSION CORP, DBA NATION
LISBON Unnamed Wetland

Requested Action:

Temporarily impact 2,975 square feet of wetlands for access to a utility line for maintenance.

PBN IS COMPLETE:

Temporarily impact 2,975 square feet of wetlands for access to a utility line for maintenance.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(14), Temporary impacts associated with the inspection, maintenance and repair of existing utility lines within an existing utility right-of-way that meet the criteria of Env-Wt 303.04(af).
2. NH Fish and Game Nongame and Endangered Species Program commented that as long as the project occurs outside of the osprey breeding season, which is April through August, we do not expect impacts to osprey if an undocumented nest is encountered. If an eagle nest is found in the vicinity of the work area, contact NH Fish and Game immediately, so that impacts to this species can be avoided. NH Fish & Game concurs with USFWS recommendations regarding any potential impacts to dwarf wedgemussel.
3. USFWS commented that the project is a sufficient distance from the Connecticut River and will have erosion control measures in place that they anticipate no adverse effects to dwarf wedgemussels.
4. The Natural Heritage Bureau commented that they do not expect impacts to any of the plant species or communities listed in the initial review memo. Since all work will be within the existing powerline corridor, and no heavy machinery will be used, ground disturbance should be minimal. If all work is completed when the ground is frozen potential impacts will be further minimized.
5. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.

CSPA PERMIT

2009-01984 EAGLE POND LLC
WILMOT Eagle Pond

Requested Action:

Impact 28,940 sq ft to replace and upgrade dining and recreational facilities in a residential youth camp.

APPROVE PERMIT:

Impact 28,940 sq ft to replace and upgrade dining and recreational facilities in a residential youth camp.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. revised October 31, 2009 and received by the Department of Environmental Services ("DES") on November 2, 2009.
2. No more than 24.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All of the remaining 88,798 sq ft of the Natural Woodland Buffer beyond the primary building setback currently in an unaltered state must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Silt fencing must be removed once the area is stabilized.

2009-02426 BOUCHER TRUST, JEANNE
NORTHWOOD Northwood Lake

Requested Action:

Impact 2431 sq. ft. to replace an existing septic system to a 3 bedroom home.

APPROVE PERMIT:

Impact 2431 sq. ft. to replace an existing septic system to a 3 bedroom home.

With Conditions:

1. All work shall be in accordance with plans by Keacg-Nordstrom Associates, Inc dated October 6, 2009 and received by the Department of Environmental Services ("DES") on October 15, 2009.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 11.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 26 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,845 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02565 LACONIA DPW, CITY OF
LACONIA Lake Winnepesaukee

Requested Action:

Impact 30,584 sq ft to make stormwater and drainage improvements and repair existing structures.

APPROVE PERMIT:

Impact 30,584 sq ft to make stormwater and drainage improvements and repair existing structures.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King, Inc. dated September 2009 and received by the Department of Environmental Services ("DES") on October 23, 2009.
2. The area located north of Station 1771 + 90 as identified on the approved plans, and east of the existing boardwalk, is the jurisdiction on the DES Wetlands Bureau. Work within this area is contingent on approval by the DES Wetlands Bureau in accordance with RSA 482-A.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. The proposed project is intended to repaired and correct drainage problems associated with past flood events.

2009-02566 JK LOVELL LLC
WAKEFIELD Lovell Lake

Requested Action:

Impact 4,140 sq ft to remove existing structures and replace with slightly larger house.

APPROVE PERMIT:

Impact 4,140 sq ft to remove existing structures and replace with slightly larger house.

With Conditions:

1. All work shall be in accordance with plans by Civilworks, Inc dated October 9, 2009 and received by the Department of Environmental Services ("DES") on October 26, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 12.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 7,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,580 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02567 NELSON, LINDA
CENTER BARNSTEAD Lower Suncook Lake

Requested Action:

Impact 2,250 sq ft to relocate driveway to provide safer and better access.

APPROVE PERMIT:

Impact 2,250 sq ft to relocate driveway to provide safer and better access.

With Conditions:

1. All work shall be in accordance with plans by Lank Excavating dated October 19, 2009 and received by the Department of Environmental Services ("DES") on October 26, 2009.
2. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately 400 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 502 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02568 BOLLN, NANCY & GEORGE
HEBRON Newfound Lake

Requested Action:

Impact 920 sq ft to construct a 228 sq ft patio, a 356 sq ft walkway, and a 1 ft wide x 3 ft high retaining wall.

APPROVE PERMIT:

Impact 920 sq ft to construct a 228 sq ft patio, a 356 sq ft walkway, and a 1 ft wide x 3 ft high retaining wall.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC dated October 3, 2009 and received by the Department of Environmental Services ("DES") on October 27, 2009.
2. No more than 23.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,895 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02569 NEWBURY, TOWN OF
NEWBURY Lake Sunapee

Requested Action:

Impact 2,530 sq ft to replace an existing wastewater pump station and replace existing sewer force main lines.

APPROVE PERMIT:

Impact 2,530 sq ft to replace an existing wastewater pump station and replace existing sewer force main lines.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services, Inc dated August 1,2009 and received by the Department of Environmental Services ("DES") on October 27, 2009.
2. No more than N/A% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02571 TUFTONBORO FIRE DEPARTMENT
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 2,000 sq ft to remove existing septic system and install new.

APPROVE PERMIT:

Impact 2,000 sq ft to remove existing septic system and install new.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated October 1, 2009 and received by the Department of Environmental Services ("DES") on October 28, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 49% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 191.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02580 KARELAS, LORRAINE
WAKEFIELD Pine River Pond

Requested Action:

Impact 2,854 sq ft to remove existing cottage, shed, and stairs, and construct replacement cottage.

APPROVE PERMIT:

Impact 2,854 sq ft to remove existing cottage, shed, and stairs, and construct replacement cottage.

With Conditions:

1. All work shall be in accordance with plans by Fogg Environmental Design dated August 1, 2009 and received by the Department of Environmental Services ("DES") on October 28, 2009.
2. No more than 12.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,247 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,811 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02582 HANNIBAL, TIMOTHY
ANDOVER Highland Lake

Requested Action:

Impact 906 sq ft to account for expanded impact of previous permit.

APPROVE PERMIT:

Impact 906 sq ft to account for expanded impact of previous permit.

With Conditions:

1. All work shall be in accordance with plans by Beaver Brook Env. Consultants, LLC dated January 19, 2009 and received by the Department of Environmental Services ("DES") on October 28, 2009.
2. No more than 8.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 23,591 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,796 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02583 GONZALES, KATHLEEN
ACWORTH Crescent Lake

Requested Action:

Impact 1,385 sq ft to replace 990 sq ft dwelling with a 1,385 sq ft dwelling in slightly modified footprint to conform with town zoning regs.

APPROVE PERMIT:

Impact 1,385 sq ft to replace 990 sq ft dwelling with a 1,385 sq ft dwelling in slightly modified footprint to conform with town zoning regs.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated October 1, 2009 and received by the Department of Environmental Services ("DES") on October 29, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 11.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2,628 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,584 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02615 PEARLMAN, CLAUDIA
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 625 sq ft to construct addition to existing dwelling.

APPROVE PERMIT:

Impact 625 sq ft to construct addition to existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultant dated October 28, 2009 and received by the Department of Environmental Services ("DES") on November 2, 2009.
2. No more than 18.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,771 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,244 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02617 GURALL, BRUCE
ALTON Lake Winnepesaukee

Requested Action:

Impact 6,204 sq ft to construct a 2,569 sq ft footprint building, paved driveway, and small patio area with landscape walls.

APPROVE PERMIT:

Impact 6,204 sq ft to construct a 2,569 sq ft footprint building, paved driveway, and small patio area with landscape walls.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated October 28, 2009 and received by the Department of Environmental Services ("DES") on October 29, 2009.
2. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,005 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,181 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02619 CROSS, JOHN AND NANCY
SUNAPEE Sugar River

Requested Action:

Impact 4,250 sq ft to construct a house with attached deck and driveway.

APPROVE PERMIT:

Impact 4,250 sq ft to construct a house with attached deck and driveway.

With Conditions:

1. All work shall be in accordance with plans by CLD Consiltant Engineers dated October 1, 2009 and received by the Department of Environmental Services ("DES") on November 3, 2009.
2. No more than 11.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. The project as proposed will leave approximately 3,210 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,040 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02654 SQUAM BYRNE LLC
MOULTONBOROUGH Squam Lake

Requested Action:

Impact 1,045 sq ft to remove and replace existing culvert.

APPROVE PERMIT:

Impact 1,045 sq ft to remove and replace existing culvert.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated June 9, 2009 and received by the Department of Environmental Services ("DES") on August 10, 2009.
2. No more than 4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,255 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,785 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2009-01183 MCCOY, NICOLAS
HEBRON Newfound Lake

Requested Action:

Impact 5,669 sq ft for the purpose of expanding a nonconforming primary structure and installing a new septic system.

Inspection Date: 07/15/2009 by Raymond M Reimold

APPROVE PERMIT:

Impact 5,669 sq ft for the purpose of expanding a nonconforming primary structure and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Mountain Mapping, dated May 29, 2009, last revised October 5, 2009 and received by the Department of Environmental Services ("DES") on October 7, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 17.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will allow approximately 1,151 sq ft of the Natural Woodland Buffer beyond the primary building setback to revert to an unaltered state. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
14. All stormwater controls shall be designed and maintained to effectively absorb and infiltrate stormwater.
16. All pervious technologies shall be designed, installed and maintained to effectively absorb stormwater.
15. This permit is contingent upon receiving all necessary approvals for impacts jurisdictional under RSA 482-A.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Newfound Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater control consisting of infiltration trenches under the drip-line of the structure.
4. The applicant has proposed to install a new, modern septic system.
5. The applicant has proposed to enhance the natural woodland buffer by allowing 1,151 sq ft to revert to an unaltered state.
6. The applicant has proposed to install stormwater controls, install a new septic system, and enhance the natural woodland buffer,

and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-01524 THE EVANGELICAL COVENANT CHURCH OF AMERICA INC, EA
SWANZEY Swanzey Lake

Requested Action:

Impact 19,000 sq ft for the purpose of constructing a new community dining hall to service an existing camp.

APPROVE PERMIT:

Impact 19,000 sq ft for the purpose of constructing a new community dining hall to service an existing camp.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates, dated June 12, 2009 and received by the Department of Environmental Services ("DES") on October 23, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 15.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 40,300 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 22,961 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All stormwater controls shall be designed and maintained to effectively absorb and infiltrate stormwater.
6. Upon completion of the proposed project, all exposed soils associated with the removal of the 1,040 sq ft cabin within the waterfront buffer will be planted with native vegetation.
7. The permit is contingent upon receiving all necessary approval from the NH Subsurface Systems Bureau.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Swanzy Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 1,040 sq ft of impervious area within the waterfront buffer of the protected

shoreland.

4. The applicant has proposed to install stormwater controls consisting of 1 foot to 5 foot deep infiltration trenches.
5. The applicant has proposed to significantly enhance the waterfront buffer and install stormwater management controls, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-02042 FINN, JOHN
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 6,128 sq ft for the purpose of renovating an existing guest house and constructing multiple new accessory structures.

APPROVE PERMIT:

Impact 6,128 sq ft for the purpose of renovating an existing guest house and constructing multiple new accessory structures.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants, LLC dated August 1, 2009, last edited November 5, 2009 and received by the Department of Environmental Services ("DES") on November 6, 2009.
2. No more than 30.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. Upon completion of the proposed project, the existing, outdated septic system will pose no threat to adjacent surface waters.

2009-02139 CLEMENT, RICHARD & KATHY
BELMONT Lake Winnisquam

Requested Action:

Impact 1,678 sq ft for the purpose of replacing a residential primary structure and installing a rain garden.

APPROVE PERMIT:

Impact 1,678 sq ft for the purpose of replacing a residential primary structure and installing a rain garden.

WAIVERS APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback. RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the

protected shoreland with impervious surface coverage that exceeds 30%.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc., dated September 15, 2009 and received by the Department of Environmental Services ("DES") on September 18, 2009.
2. This approval includes waivers of RSA 483-B:9, II (b) and RSA 483-B:9, V(g)(1), and therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 36.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained in accordance with plans received by DES on September 18, 2009 and titled, "Bioretention Cell Details".
5. All pervious technologies used shall be designed, installed and maintained in accordance with plans received by DES September 18, 2009 and titled, "Permeable Interlocking Concrete Pavement".
6. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
7. The project as proposed will leave approximately 10,677 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,003 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnisquam and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Lake Winnisquam and, therefore, fails to conform to the impervious surface limitations set forth in RSA 483-B:9, V (g)(1), of the CSPA.
3. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
4. The applicant has proposed to decrease the overall area of imperviousness within the protected shoreland by 32 sq ft.
5. The applicant has proposed to plant additional native vegetation within the waterfront buffer.
6. The applicant has proposed to install a perennial rain garden to capture stormwater runoff.
7. The applicant has proposed to decrease the overall area of imperviousness within the protected shoreland, enhance the waterfront buffer and install stormwater controls, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

Requested Action:

Impact 1,577 sq ft for the purpose of expanding a nonconforming primary structure.

APPROVE PERMIT:

Impact 1,577 sq ft for the purpose of expanding a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Land Tech, dated August 3, 2009 and received by the Department of Environmental Services ("DES") on September 23, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1,200 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas required to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
13. Upon completion of the proposed project, the pre-existing septic system will pose no threat to adjacent surface waters.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Ossipee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the overall impervious area of the lot within the protected shoreland by 4.6%.
4. The applicant has proposed to redirect stormwater via roof gutters to a 403 sq ft naturally vegetated area.
5. The applicant has proposed to plant additional native, fruit bearing vegetation within the natural woodland buffer.
6. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
7. The applicant has proposed to decrease the overall area of imperviousness within the protected shoreland, incorporate stormwater

controls, enhance the natural woodland buffer with vegetation and install a new, modern septic system, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2009-02345 RIGGS, LAMAR
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 9,616 sq ft for the purpose of replacing a non-conforming primary structure, associated accessory structure, and installation of a new septic system.

APPROVE PERMIT:

Impact 9,616 sq ft for the purpose of replacing a non-conforming primary structure, associated accessory structure, and installation of a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Brendan Quigley, Gove Environmental Services, Inc. dated April 15, 2009 and received by the Department of Environmental Services ("DES") on October 8, 2009.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 26.51% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2,401 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,268 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
5. The proposed stormwater management plan shall be designed, implemented and maintained to effectively infiltrate and absorb stormwater.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to construct the new primary structure 13 feet further from the reference line.
4. The applicant has proposed to convert 554 sq ft of previously disturbed waterfront buffer to vegetated area.
5. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip line of the proposed primary structure.
6. The applicant has proposed to install stormwater controls consisting of a 428 sq ft rain garden.
7. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system with a greater setback from the reference line.
8. The applicant has proposed to significantly enhance the waterfront buffer, install improved stormwater management techniques, and install a new septic system with a greater setback, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.